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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,981	10/15/2003	Joop Roodenburg	1141.11A	7114

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EXAMINER

SMITH, MATTHEW J

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,981

Applicant(s)

ROODENBURG ET AL

Examiner

Matthew J. Smith

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-26 is/are allowed.
- 6) ☒ Claim(s) 1,3,4,7,10,12,27,31 and 32 is/are rejected.
- 7) ☒ Claim(s) 2,5,6,8,9,11 and 28-30 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 25Mar04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: (45) [0064], should be --65--.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "49" in figure 21, should be --494--.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 23 and 27 are objected to because of the following informalities: capitalized acronyms or capitalized first letter of words (SPAR, Compliant Tower, etc). Appropriate correction is required.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 3, 4, 7, and 10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 and 8 of U.S. Patent No. 6,729,804 alone or in view of Ingle (5139367).

Although the conflicting claims are not identical, they are not patentably distinct from each other because the patented "at least four" meets the limitation of at least two, but is broader. Further, the claimed drilling rig and the patented "jack-up drilling rig" are not patentably distinct.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use two friction reducing devices in order to reduce the number of assemblies and still move the cantilever.

Ingle presents two beam moving assemblies 60a, 60b (col. 3, line 56) for a cantilever on a platform.

Art Unit: 3672

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use two beam moving assemblies, as presented by Ingle, in order to reduce the number of assemblies and still move the cantilever.

Claim 12 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-3 and 8 of U.S. Patent No. 6,729,804, as applied to claim 1 above, and further in view of Reed (4744710).

The combination discloses a platform with a cantilever moved by two beam moving assemblies but not two setbacks with two pipe rackers.

Reed shows two setbacks with two pipe rackers (figure 4).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the mast with two pipe rackers, as shown by Reed, in order to rack more pipe.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3672

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 27 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williford et al. (5855455) in view of Suksumake (5492436).

Williford et al. disclose an offshore drilling rig 10 comprising: a deck 20; a semi submersible rig; a cantilever 54 adapted to be moveable in a first direction and a second direction; a multi-purpose tower 56 fixably attached to the cantilever; and the cantilever and tower have an L-shape but not a supporting cart disposed between the cantilever and the deck or at least four friction-reducing devices secured to the supporting cart.

Suksumake depict a supporting cart 37 disposed between the cantilever and the deck and at least four friction-reducing devices 60 secured to the supporting cart.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to move the Williford et al. cantilever with the Suksumake cart in order to mobilize the cantilever without an external force (Suksumake, col. 1, lines 58-60).

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williford et al. in view of Suksumake as applied to claim 27 above, and further in view of Landry (6269880).

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The combination discloses moving a cantilever with a cart with friction-reducing devices but not a blowout preventor (BOP), a shaker, or a centrifuge.

Landry describes blowout preventor (BOP), shaker and centrifuge at a well.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to add a BOP, shaker, and centrifuge, as described by Landry, to the combined structure in order to minimize blowout and separate the solids from the liquids.

Allowable Subject Matter

Claims 13-26 are allowed.

Claims 2, 5, 6, 8, 9, 11, 28-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Smith whose telephone number is 571-272-7034. The examiner can normally be reached on T-F, 9-4.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Bagnell
Supervisory Patent Examiner
Art Unit 3672

MJS *MJS*
2 September 2005